

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

NRO BOSTON, LLC and ALICE
INDELICATO,

Plaintiffs,

v.

KABBAGE, INC. and CELTIC BANK
CORPORATION

Defendants.

CELTIC BANK CORPORATION,

Counterclaim-Plaintiffs,

v.

NRO BOSTON, LLC and ALICE
INDELICATO

Counterclaim-Defendants.

Civil Action No. 1:17-cv-11976-GAO

CELTIC BANK’S MOTION TO CONFIRM ARBITRATION AWARD

Under 9 U.S.C. § 9 and the written arbitration agreements between Celtic Bank Corporation (“Celtic Bank”) and NRO Boston, LLC and Alice Indelicato (collectively, “NRO”), Celtic Bank respectfully requests that this Court enter an order confirming an arbitration award entered in its favor on July 24, 2019. The Arbitrator was Hon. Charles B. Swartwood, III (Ret.), and the Arbitrator’s Final Award directed NRO to pay Celtic Bank \$3,299,621.97. In support of this Motion, Celtic Bank relies upon the accompanying Memorandum in Support, the Declaration of Eric Petersen, and exhibits attached thereto. As this Court has previously

observed, “[t]he confirmation of an arbitration award is generally a summary proceeding that makes what is already a final arbitration award a judgment of the Court.” *Bennington Iron Works, Inc. v. J.P. Const. Co.*, 1996 WL 208494, at *1 (D. Mass. Mar. 6, 1996) (O’Toole, J.).

Dated: September 9, 2019

/s/ Michael Maya

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CERTIFICATE OF SERVICE

I hereby certify that on this 9th day of September, I caused the foregoing document to be electronically filed with the Clerk of the Court using the CM/ECF system and to be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF), pursuant to Local Rule 5.4(C).

/s/ Michael Maya

Michael Maya

LOCAL RULE 7.1 CERTIFICATION

I hereby certify that counsel for Defendants-Counterclaim Plaintiffs Celtic Bank have met and conferred with counsel for Plaintiffs-Counterclaim Defendants NRO Boston, LLC (“NRO Boston”) and Alice Indelicato to attempt in good faith to resolve or narrow the issues presented in this motion. Defendants-Counterclaim Plaintiffs construe Plaintiffs-Counterclaim Defendants’ filing of a petition to vacate the arbitration award as an opposition to this motion.

/s/ Andrew Soukup _____
Andrew Soukup